IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.25051 of 2008
1. BHUTTU SINGH
2. Lukhan Choudhry..... Petitioners
Versus
STATE OF BIHAR
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3. 23.12.2008 Heard the learned Counsel for the petitioners and the learned counsel for the State.

The petitioners apprehend arrest in a Police case under Sections 302 and 201/34 of the Penal Code.

The submission is that the petitioners are not named in the FIR which otherwise names two accused. The informant had also filed a protest petition that the police was seeking to implicate others falsely.

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The allegations by the informant are that the body of his wife was found hanging when he with the assistance of villagers and the two named accused disentangled his wife from the rope from which she had committed suicide and laid down her on the ground.

Learned Counsel for the State from the case diary pointed out that the dead body was found in the gunny bag thrown in the river.

This Court is at a complete loss to understand the nature of the investigation, in the background of specific nature of accusation in the FIR.

In any event learned Counsel for the State fairly concedes that the material against the petitioners is of participation in cremation/disposal of the dead body of the deceased attracting the offence under Section 201 IPC which is bailable one.

Having considered the facts and circumstances of the case, let the petitioners, above named, surrender in the court below within a period of four weeks from today when they shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Khagaria in Allauli PS Case No. 157 of 2007, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Snkumar/-

(Navin Sinha,J.)

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